

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
BEAUMONT DIVISION

IRVING TYRONE FLANAGAN §
VS. § CIVIL ACTION NO. 1:22-CV-338
WARDEN, FCI BEAUMONT §

ORDER ADOPTING THE MAGISTRATE
JUDGE'S REPORT AND RECOMMENDATION

Petitioner Irving Tyrone Flanagen, a prisoner confined at the Federal Correctional Institution in Beaumont, Texas, proceeding *pro se*, filed this Petition for Writ of Habeas Corpus pursuant to 28 U.S.C. § 2241.

The Court referred this matter to the Honorable Christine L. Stetson, United States Magistrate Judge, at Beaumont, Texas, for consideration pursuant to applicable laws and orders of this Court. On October 19, 2023, the magistrate judge recommended dismissing the Petition. To date, the parties have not filed objections to the Report and Recommendation.

The Court received and considered the Report and Recommendation of United States Magistrate Judge pursuant to such referral, along with the record, pleadings and all available evidence. Proper notice was given to Petitioner at his last known address. *See* FED. R. CIV. P. 5(b)(2)(C). After careful review, the Court finds that the findings of fact and conclusions of law of the United States Magistrate Judge are correct.

ORDER

Accordingly, the findings of fact and conclusions of law of the magistrate judge are correct, and the Report and Recommendation of United States Magistrate Judge [Dkt. 13] is ADOPTED.

Respondent's Motion to Dismiss [Dkt. 7] is GRANTED. A final judgment will be entered in this case in accordance with the magistrate judge's recommendation.

SIGNED this 9th day of January, 2024.

Michael J. Truncale

Michael J. Truncale
United States District Judge